

**REMARKS****Claim Rejections Under 35 U.S.C. § 102**

Claims 1, 2 and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Takasu* (U.S. Patent No. 5,365,094) or under 35 U.S.C. § 102(e) as being anticipated by *Yang et al.* (U.S. Patent No. 6,660,588). Applicant respectfully traverses this rejection.

*Takasu* discloses a semiconductor device that includes a ferroelectric non-volatile memory. However, *Takasu* neither teaches nor suggests Applicant's invention as claimed in the amended claims including a metal floating gate with an oxidized upper portion that defines a metal oxide inter-gate layer.

*Yang et al.* disclose a high density floating gate flash memory. However, *Yang et al.* neither teaches nor suggests Applicant's invention as claimed in the amended claims including a metal floating gate with an oxidized upper portion that defines a metal oxide inter-gate layer.

**Claim Rejections Under 35 U.S.C. § 103**

Claims 3-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Yang et al.* (U.S. Patent No. 6,660,588) in view of examiner remarks. Applicant respectfully traverses this rejection.

While *Yang et al.* disclose dielectrics composed of metal oxides, *Yang et al.* neither teach nor suggest a metal floating gate that has an oxidized upper portion that defines an inter-gate dielectric.

Serial No. 10/808,058

Attorney Docket No. 400.288US01

Title: MEMORY DEVICE WITH HIGH DIELECTRIC CONSTANT GATE DIELECTRICS AND METAL FLOATING GATES

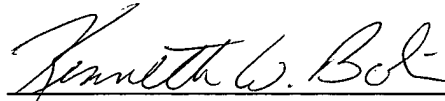
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**CONCLUSION**

In view of the above remarks, Applicant believes that all pending claims are in condition for allowance and respectfully requests a Notice of Allowance be issued in this case. If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2211. No new matter has been added and no additional fee is required by this amendment and response.

Respectfully submitted,

Date: \_\_\_\_\_

2/15/06

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